

117TH CONGRESS  
1ST SESSION

# S. 1022

To create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25, 2021

Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. BOOKER, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Increasing American  
5 Jobs Through Greater Exports to Africa Act of 2021”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

1           (1) Export growth helps United States business  
2           grow and create United States jobs. Ninety-eight  
3           percent of United States exports came from approxi-  
4           mately 300,000 small- and medium-sized businesses  
5           supporting 4,000,000 United States jobs.

6           (2) In a February 5, 2021, message to an Afri-  
7           can leaders meeting at the African Union Summit,  
8           President Joseph R. Biden reaffirmed the United  
9           States relationship with African countries as part-  
10          ners in the continent-wide spirit of entrepreneurship  
11          and innovation.

12          (3) Many countries have trade-distorting export  
13          promotion programs that aggressively subsidize ex-  
14          ports to Africa and other countries around the  
15          world. In 2019, there were 115 known official export  
16          credit providers around the world, including export  
17          credit agencies, up from 85 in 2015—a 35 percent  
18          increase from 2015 to 2019. The increasing invest-  
19          ment by foreign governments into export credit can  
20          threaten competitiveness of United States businesses  
21          abroad.

22          (4) Between 2008 and 2019, the People’s Re-  
23          public of China alone provided more than  
24          \$462,000,000,000 in loans to the developing world,  
25          and, in 2009, the People’s Republic of China sur-

1 passed the United States as the leading trade part-  
2 ner of African countries. The Export-Import Bank  
3 of the United States reports the People's Republic of  
4 China's export finance activity is larger than all the  
5 other export credit agencies in the Group of 7 coun-  
6 tries combined, making the People's Republic of  
7 China the world's largest official creditor with a  
8 portfolio more than twice the size of the World Bank  
9 and International Monetary Fund combined.

10 (5) The Export-Import Bank of the United  
11 States supported \$12,400,000,000 worth of trans-  
12 actions to sub-Saharan Africa from 2009 to 2019,  
13 while in 2018, the People's Republic of China made  
14 up 22 percent of public debt stock, and, in 2020, the  
15 People's Republic of China made up 29 percent of  
16 debt service in low-income countries in Africa. The  
17 People's Republic of China accounts for a quarter or  
18 more of all public and publicly guaranteed debt in  
19 Angola, Djibouti, Cameroon, the Republic of the  
20 Congo, Ethiopia, Kenya, and Zambia.

21 (6) The practice of the People's Republic of  
22 China of concessional financing runs contrary to the  
23 principles of the Organisation for Economic Co-oper-  
24 ation and Development related to open market rates,  
25 undermines naturally competitive rates, and

1       incentivizes governments in Africa to overlook the  
2       People’s Republic of China’s troubling record on  
3       labor practices, human rights, and environmental  
4       impact.

5           (7) Sixty percent of Africa’s approximately  
6       1,250,000,000 people are under the age of 25, and  
7       by the year 2050, one-third of global youth will be  
8       in sub-Saharan Africa. By 2030, Africa will have 17  
9       cities with more than 5,000,000 inhabitants, as well  
10      as 90 cities with populations of at least 1,000,000.  
11      Both are factors contributing to rising household  
12      consumption predicted to reach approximately  
13      \$2,500,000,000,000 by 2030.

14           (8) When countries such as the People’s Repub-  
15      lic of China assist with large-scale government  
16      projects, they often gain access to valuable commod-  
17      ities such as oil and copper, typically without regard  
18      to environmental, human rights, labor, or govern-  
19      ance standards.

20           (b) PURPOSE.—The purpose of this Act is to create  
21      jobs in the United States by expanding programs that will  
22      result in increasing United States exports to Africa by 200  
23      percent in real dollar value within 10 years.

24      **SEC. 3. DEFINITIONS.**

25           In this Act:

1           (1) AFRICA.—The term “Africa” refers to the  
2           entire continent of Africa and its 54 countries, in-  
3           cluding the Republic of South Sudan.

4           (2) AFRICAN DIASPORA.—The term “African  
5           diaspora” means the people of African origin living  
6           in the United States, irrespective of their citizenship  
7           and nationality, who are willing to contribute to the  
8           development of Africa.

9           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
10          TEES.—The term “appropriate congressional com-  
11          mittees” means—

12                   (A) the Committee on Appropriations, the  
13                   Committee on Banking, Housing, and Urban  
14                   Affairs, the Committee on Foreign Relations,  
15                   and the Committee on Finance of the Senate;  
16                   and

17                   (B) the Committee on Appropriations, the  
18                   Committee on Energy and Commerce, the Com-  
19                   mittee on Financial Services, the Committee on  
20                   Foreign Affairs, and the Committee on Ways  
21                   and Means of the House of Representatives.

22          (4) DEVELOPMENT AGENCIES.—The term “de-  
23          velopment agencies” includes the United States De-  
24          partment of State, the United States Agency for  
25          International Development, the Millennium Chal-

1        lence Corporation, the United States International  
2        Development Finance Corporation, the United  
3        States Trade and Development Agency, the United  
4        States Department of Agriculture, and relevant mul-  
5        tilateral development banks.

6            (5) MULTILATERAL DEVELOPMENT BANKS.—  
7        The term “multilateral development banks” has the  
8        meaning given that term in section 1701(c)(4) of the  
9        International Financial Institutions Act (22 U.S.C.  
10       262r(c)(4)) and includes the African Development  
11       Foundation.

12           (6) SUB-SAHARAN REGION.—The term “sub-Sa-  
13        haran region” refers to the 49 countries listed in  
14        section 107 of the African Growth and Opportunity  
15        Act (19 U.S.C. 3706).

16           (7) TRADE POLICY STAFF COMMITTEE.—The  
17        term “Trade Policy Staff Committee” means the  
18        Trade Policy Staff Committee established pursuant  
19        to section 2002.2 of title 15, Code of Federal Regu-  
20        lations, which is composed of representatives of Fed-  
21        eral agencies in charge of developing and coordi-  
22        nating United States positions on international trade  
23        and trade-related investment issues.

24           (8) TRADE PROMOTION COORDINATING COM-  
25        MITTEE.—The term “Trade Promotion Coordinating

1 Committee” means the Trade Promotion Coordi-  
2 nating Committee established under section 2312 of  
3 the Export Enhancement Act of 1988 (15 U.S.C.  
4 4727).

5 (9) UNITED STATES AND FOREIGN COMMER-  
6 CIAL SERVICE.—The term “United States and For-  
7 eign Commercial Service” means the United States  
8 and Foreign Commercial Service established by sec-  
9 tion 2301 of the Export Enhancement Act of 1988  
10 (15 U.S.C. 4721).

11 **SEC. 4. STRATEGY.**

12 (a) IN GENERAL.—Not later than 180 days after the  
13 date of the enactment of this Act, the President shall es-  
14 tablish a comprehensive United States strategy for public  
15 and private investment, trade, and development in Africa.

16 (b) FOCUS OF STRATEGY.—The strategy required by  
17 subsection (a) shall focus on—

18 (1) increasing exports of United States goods  
19 and services to Africa by 200 percent in real dollar  
20 value within 10 years from the date of the enact-  
21 ment of this Act;

22 (2) promoting the alignment of United States  
23 commercial interests with development priorities in  
24 Africa;

1           (3) developing relationships between the govern-  
2           ments of countries in Africa and United States busi-  
3           nesses that have an expertise in such issues as crit-  
4           ical energy security, infrastructure development,  
5           technology, telecommunications, and agriculture;

6           (4) improving the competitiveness of United  
7           States businesses in Africa, including by encour-  
8           aging the adoption of United States construction  
9           codes and product standards, with emphasis on  
10          those designated as American National Standards by  
11          the American National Standards Institute where  
12          applicable;

13          (5) exploring the role the African diaspora can  
14          play in enhancing competitiveness of United States  
15          businesses in Africa and ways that African diaspora  
16          remittances can help communities in Africa tackle  
17          economic, development, and infrastructure financing  
18          needs;

19          (6) promoting economic integration in Africa  
20          through working with the subregional economic com-  
21          munities, supporting efforts for deeper integration  
22          through the development of customs unions within  
23          western and central Africa and within eastern and  
24          southern Africa, eliminating time-consuming border

1 formalities into and within these areas, and sup-  
2 porting regionally based infrastructure projects;

3 (7) encouraging a greater understanding among  
4 United States business and financial communities of  
5 the opportunities Africa holds for United States ex-  
6 ports;

7 (8) fostering partnership opportunities between  
8 United States and African small- and medium-sized  
9 enterprises;

10 (9) supporting African entrepreneurship and  
11 private sector development as a means to sustainable  
12 economic growth and security; and

13 (10) monitoring—

14 (A) market loan rates and the availability  
15 of capital for United States business investment  
16 in Africa;

17 (B) loan rates offered by the governments  
18 of other countries for investment in Africa; and

19 (C) the policies of other countries with re-  
20 spect to export financing for investment in Afri-  
21 ca that are predatory or distort markets.

22 (c) CONSULTATIONS.—In developing the strategy re-  
23 quired by subsection (a), the President shall consult  
24 with—

25 (1) Congress;

1           (2) each agency that is a member of the Trade  
2 Promotion Coordinating Committee;

3           (3) the relevant multilateral development banks,  
4 in coordination with the Secretary of the Treasury  
5 and the respective United States Executive Directors  
6 of such banks;

7           (4) each agency that participates in the Trade  
8 Policy Staff Committee;

9           (5) the President's Export Council;

10          (6) each of the development agencies;

11          (7) any other Federal agencies with responsi-  
12 bility for export promotion or financing and develop-  
13 ment; and

14          (8) the private sector, including businesses,  
15 nongovernmental organizations, and African dias-  
16 pora groups.

17 (d) SUBMISSION TO CONGRESS.—

18           (1) STRATEGY.—Not later than 180 days after  
19 the date of the enactment of this Act, the President  
20 shall submit to Congress the strategy required by  
21 subsection (a).

22           (2) PROGRESS REPORT.—Not later than 3  
23 years after the date of the enactment of this Act, the  
24 President shall submit to Congress a report on the

1 implementation of the strategy required by sub-  
2 section (a).

3 (3) CONTENT OF REPORT.—The report re-  
4 quired by paragraph (2) shall include an accounting  
5 of all current United States Government programs  
6 to promote exports to and trade with Africa and to  
7 assist United States businesses competing in the Af-  
8 rican market as well as an assessment of the extent  
9 to which the strategy required by subsection (a)—

10 (A) has been successful in developing crit-  
11 ical analyses of policies to increase exports to  
12 Africa;

13 (B) has been successful in increasing the  
14 competitiveness of United States businesses in  
15 Africa;

16 (C) has been successful in creating jobs in  
17 the United States, including the nature and  
18 sustainability of such jobs;

19 (D) has provided sufficient United States  
20 Government support to meet third-country com-  
21 petition in the region;

22 (E) has been successful in helping the Af-  
23 rican diaspora in the United States participate  
24 in economic growth in Africa;

1 (F) has been successful in promoting eco-  
2 nomic integration in Africa;

3 (G) has encouraged specific policies and  
4 programs in Africa that provide a stable, safe,  
5 and transparent environment in which business  
6 and entrepreneurship can thrive; and

7 (H) has made a meaningful contribution to  
8 the transformation of Africa and its full inte-  
9 gration into the 21st century world economy,  
10 not only as a supplier of primary products but  
11 also as full participant in international supply  
12 and distribution chains and as a consumer of  
13 international goods and services.

14 **SEC. 5. SPECIAL AFRICA EXPORT STRATEGY COORDI-**  
15 **NATOR.**

16 The President shall designate an individual to serve  
17 as Special Africa Export Strategy Coordinator—

18 (1) to oversee the development and implementa-  
19 tion of the strategy required by section 4; and

20 (2) to coordinate with the Trade Promotion Co-  
21 ordinating Committee, the Assistant United States  
22 Trade Representative for African Affairs, and devel-  
23 opment agencies with respect to developing and im-  
24 plementing the strategy.

1 **SEC. 6. TRADE MISSION TO AFRICA.**

2 It is the sense of Congress that, not later than 1 year  
3 after the date of the enactment of this Act, the Secretary  
4 of Commerce and other high-level officials of the United  
5 States Government with responsibility for export pro-  
6 motion, financing, and development should conduct a joint  
7 trade mission to Africa.

8 **SEC. 7. PERSONNEL.**

9 (a) UNITED STATES AND FOREIGN COMMERCIAL  
10 SERVICE.—

11 (1) IN GENERAL.—The Secretary of Commerce  
12 shall ensure that not less than 10 total United  
13 States and Foreign Commercial Service officers are  
14 assigned to Africa for each of the first 5 fiscal years  
15 beginning after the date of the enactment of this  
16 Act.

17 (2) ASSIGNMENT.—The Secretary shall, in con-  
18 sultation with the Trade Promotion Coordinating  
19 Committee and the Special Africa Export Strategy  
20 Coordinator, assign the United States and Foreign  
21 Commercial Service officers described in paragraph  
22 (1) to United States embassies or consulates in Afri-  
23 ca after conducting a timely resource allocation anal-  
24 ysis that represents a forward-looking assessment of  
25 future United States trade opportunities in Africa.

26 (3) MULTILATERAL DEVELOPMENT BANKS.—

1 (A) IN GENERAL.—As soon as practicable  
2 after the date of the enactment of this Act, the  
3 Secretary of Commerce shall, using existing  
4 staff, assign not less than 1 full-time United  
5 States and Foreign Commercial Service officer  
6 to be split between the office of the United  
7 States Executive Director at the World Bank  
8 and the African Development Bank.

9 (B) RESPONSIBILITIES.—Each United  
10 States and Foreign Commercial Service officer  
11 assigned under subparagraph (A) shall be re-  
12 sponsible for—

13 (i) increasing the access of United  
14 States businesses to procurement contracts  
15 with the multilateral development bank to  
16 which the officer is assigned; and

17 (ii) facilitating the access of United  
18 States businesses to risk insurance, equity  
19 investments, consulting services, and lend-  
20 ing provided by that bank.

21 (b) EXPORT-IMPORT BANK OF THE UNITED  
22 STATES.—Of the amounts collected by the Export-Import  
23 Bank that remain after paying the expenses the Bank is  
24 authorized to pay from such amounts for administrative

1 expenses, the Bank shall use sufficient funds to do the  
2 following:

3           (1) Increase the number of staff dedicated to  
4           expanding business development for Africa, including  
5           increasing the number of business development trips  
6           the Bank conducts to Africa and the amount of time  
7           staff spends in Africa to meet the goals set forth in  
8           section 9 and paragraph (5) of section 6(a) of the  
9           Export-Import Bank of 1945, as added by section  
10          9(a)(2).

11          (2) Maintain an appropriate number of employ-  
12          ees of the Bank assigned to United States field of-  
13          fices of the Bank to be distributed as geographically  
14          appropriate through the United States. Such offices  
15          shall coordinate with the related export efforts un-  
16          dertaken by the Small Business Administration re-  
17          gional field offices.

18          (3) Upgrade the Bank's equipment and soft-  
19          ware to more expeditiously, effectively, and effi-  
20          ciently process and track applications for financing  
21          received by the Bank.

22          (c) UNITED STATES INTERNATIONAL DEVELOPMENT  
23          FINANCE CORPORATION.—

24                (1) STAFFING.—Of the net offsetting collections  
25                collected by the United States International Develop-

1       ment Finance Corporation and used for administra-  
2       tive expenses, the Corporation shall use sufficient  
3       funds to increase by not more than 2 the staff need-  
4       ed to promote stable and sustainable economic  
5       growth and development in Africa, to strengthen and  
6       expand the private sector in Africa, and to facilitate  
7       the general economic development of Africa, with a  
8       particular focus on helping United States businesses  
9       expand into African markets.

10           (2) REPORT.—The Corporation shall report to  
11       the appropriate congressional committees on whether  
12       recent technology upgrades have resulted in more ef-  
13       fective and efficient processing and tracking of appli-  
14       cations for financing received by the Corporation.

15           (3) CERTAIN COSTS NOT CONSIDERED ADMINIS-  
16       TRATIVE EXPENSES.—For purposes of this sub-  
17       section, systems infrastructure costs associated with  
18       activities authorized by the Better Utilization of In-  
19       vestments Leading to Development Act of 2018 (22  
20       U.S.C. 9601 et seq.) shall not be considered admin-  
21       istrative expenses.

22           (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
23       tion shall be construed as permitting the reduction of per-  
24       sonnel of the Department of Commerce, the Department  
25       of State, the Export-Import Bank of the United States,

1 or the United States International Development Finance  
2 Corporation or the alteration of planned personnel in-  
3 creases in other regions, except where a personnel decrease  
4 was previously anticipated or where decreased export op-  
5 portunities justify personnel reductions.

6 **SEC. 8. TRAINING.**

7 The President shall develop a plan—

8 (1) to standardize the training received by  
9 United States and Foreign Commercial Service offi-  
10 cers, economic officers of the Department of State,  
11 and economic officers of the United States Agency  
12 for International Development with respect to the  
13 programs and procedures of the Export-Import  
14 Bank of the United States, the United States Inter-  
15 national Development Finance Corporation, the  
16 Small Business Administration, and the United  
17 States Trade and Development Agency; and

18 (2) to ensure that, not later than 1 year after  
19 the date of the enactment of this Act—

20 (A) all United States and Foreign Com-  
21 mercial Service officers that are stationed over-  
22 seas receive the training described in paragraph  
23 (1); and

24 (B) in the case of a country to which no  
25 United States and Foreign Commercial Service

1 officer is assigned, any economic officer of the  
2 Department of State stationed in that country  
3 receives that training.

4 **SEC. 9. EXPORT-IMPORT BANK FINANCING.**

5 (a) FINANCING FOR PROJECTS IN AFRICA.—

6 (1) SENSE OF CONGRESS.—It is the sense of  
7 Congress that foreign export credit agencies are pro-  
8 viding financing in Africa that is not compliant with  
9 the Arrangement of the Organisation for Economic  
10 Co-operation and Development, which is trade dis-  
11 torting and threatens United States jobs.

12 (2) IN GENERAL.—Section 6(a) of the Export-  
13 Import Bank Act of 1945 (12 U.S.C. 635e(a)) is  
14 amended by adding at the end the following:

15 “(5) PERCENT OF FINANCING TO BE USED FOR  
16 PROJECTS IN AFRICA.—The Bank shall, to the ex-  
17 tent that there are acceptable final applications, in-  
18 crease the amount it finances to Africa over the  
19 prior year’s financing for each of the first 5 fiscal  
20 years beginning after the date of the enactment of  
21 the Increasing American Jobs Through Greater Ex-  
22 ports to Africa Act of 2021.”.

23 (3) REPORT REQUIRED.—

24 (A) IN GENERAL.—Not later than 1 year  
25 after the date of the enactment of this Act, and

1           annually thereafter for 5 years, the Export-Im-  
 2           port Bank of the United States shall submit to  
 3           the committees specified in subsection (d) a re-  
 4           port if the Bank has not used at least 10 per-  
 5           cent of its lending capabilities for projects in  
 6           Africa as described in paragraph (5) of section  
 7           6(a) of the Export-Import Bank of 1945, as  
 8           added by paragraph (2), during the preceding  
 9           year.

10                   (B) ELEMENTS.—Each report required by  
 11           subparagraph (A) shall include a description  
 12           of—

13                           (i) the reasons why the Bank failed to  
 14                           reach the goal described in that subpara-  
 15                           graph; and

16                           (ii) all final applications for projects  
 17                           in Africa that the Bank did not support.

18           (b) AVAILABILITY OF PORTION OF CAPITALIZATION  
 19   TO   COMPETE   AGAINST   FOREIGN   CONCESSIONAL  
 20   LOANS.—

21                   (1) IN GENERAL.—The Bank shall make avail-  
 22           able annually such amounts as are necessary for  
 23           loans that counter trade-distorting financing that is  
 24           not compliant with the Arrangement of the  
 25           Organisation for Economic Co-operation and Devel-

1       opment or preferential, tied aid, or other related  
2       non-market loans offered by other countries with  
3       which United States businesses are also competing  
4       or interested in competing.

5               (2) REPORT REQUIRED.—

6               (A) IN GENERAL.—Not later than 1 year  
7       after the date of the enactment of this Act, and  
8       annually thereafter for 5 years, the Export-Im-  
9       port Bank shall submit to the committees speci-  
10      fied in subsection (d) a report on all loans made  
11      or rejected by the Bank during the preceding  
12      year that were considered to counter trade-dis-  
13      torting financing that is not compliant with the  
14      Arrangement of the Organisation for Economic  
15      Co-operation and Development and was offered  
16      by other countries to its firms.

17              (B) INCLUSION.—Each report required by  
18      subparagraph (A) shall include a description of  
19      the terms of the financing described in that  
20      subparagraph offered by other countries to  
21      firms that competed against the United States  
22      firms.

23              (c) TRADE SECRETS ACT.—A report required by sub-  
24      section (a)(3) or subsection (b)(2) may not disclose any  
25      information that is confidential or business proprietary, or

1 that would violate section 1905 of title 18, United States  
2 Code (commonly referred to as the “Trade Secrets Act”).

3 (d) COMMITTEES SPECIFIED.—The committees spec-  
4 ified in this subsection are—

5 (1) the Committee on Banking, Housing, and  
6 Urban Affairs, the Committee on Foreign Relations,  
7 and the Committee on Appropriations of the Senate;  
8 and

9 (2) the Committee on Financial Services, the  
10 Committee on Foreign Affairs, and the Committee  
11 on Appropriations of the House of Representatives.

12 **SEC. 10. SMALL BUSINESS ADMINISTRATION.**

13 Section 22(b) of the Small Business Act (15 U.S.C.  
14 649(b)) is amended—

15 (1) in the matter preceding paragraph (1), by  
16 striking “Director of the United States Trade and  
17 Development Agency,” and inserting “the Director  
18 of the United States Trade and Development Agen-  
19 cy, the Trade Promotion Coordinating Committee,”;  
20 and

21 (2) in paragraph (3), by inserting “regional of-  
22 fices of the Export-Import Bank of the United  
23 States,” after “Retired Executives,”.

1 **SEC. 11. BILATERAL, SUBREGIONAL, AND REGIONAL, AND**  
2 **MULTILATERAL AGREEMENTS.**

3 (a) **IN GENERAL.**—Where applicable, the President  
4 shall explore opportunities to negotiate bilateral, sub-  
5 regional, and regional agreements that encourage trade  
6 and eliminate nontariff barriers to trade between coun-  
7 tries, such as negotiating investor-friendly double-taxation  
8 treaties and investment promotion agreements.

9 (b) **AGREEMENTS WITH AFRICAN COUNTRIES.**—To  
10 the extent any agreement described in subsection (a) ex-  
11 ists between the United States and an African country,  
12 the President shall ensure that the agreement is being im-  
13 plemented in a manner that maximizes the positive effects  
14 for United States trade, export, and labor interests as well  
15 as the economic development of the countries in Africa.

16 (c) **CONSIDERATION OF OBJECTIVES.**—United States  
17 negotiators in multilateral fora should take into account  
18 the objectives of this Act.

○